

RESOLUTION NO. 2735

REPORT OF ZONING AGENCY TO COUNTY BOARD ON HEARING OF

PETITION TO AMEND THE ZONING ORDINANCE

RECOMMENDATION TO THE IRON COUNTY BOARD OF SUPERVISORS:

The Comprehensive Planning/Land & Zoning Committee of Iron County, having considered the petition to amend the Zoning Ordinance, and

Having held public hearings thereon pursuant to Sec. 59.97(3), Wisconsin Statutes, notice thereof having been given as provided by law and being duly informed of the facts pertinent to the change proposed and duly advised of the wishes of the people in the area affected, hereby recommends that the proposed amendments be approved as follows:

Changes to Shoreland Regulations Article D Sec. 9-1-70(b)

(b) Removal of Shoreline Cover

The cutting of trees and shrubbery shall be regulated to protect natural beauty, control erosion, and reduce the flow of effluents, sediments and nutrients from the shoreland area. In the strip of land 35 feet wide inland from the ordinary high water mark (shoreland buffer protection area), no more than thirty (30) feet in any one hundred (100) feet shall be clearcut. In shoreland areas more than thirty five (35) feet inland, trees and shrub cutting shall be governed by consideration of the effect on water quality and consideration of sound forestry practices, including *The Forestry Best Management Practices for Water Quality Field Manual*, and soil conservation practices. The tree and shrubbery cutting regulations required by this section shall not apply to the removal of dead, diseased or dying trees or shrubbery. However, the act of purposely damaging (i.e. girdling or ring barking) healthy trees is strictly prohibited. See Section 9-1-70(d)(1) for limitations on land alteration activities.

Changes to Shoreland Regulations Article D Sec. 9-1-70(d)

(d) Land Alteration

(1) There shall be a shoreland buffer protection area extending from the ordinary high water mark to thirty five (35) feet inland. All filling, grading, lagooning, dredging, ditching and excavating will be prohibited in this area with the following exceptions:

- a. For the purpose of Shoreland Restoration.
- b. For the removal of structures.
- c. For the purpose of construction and removal of outfall structures.
- d. For the purpose of maintaining existing roadways.
- e. For work done under Wisconsin Dept. of Natural Resources permitting.

(2) Filling, grading, lagooning, dredging, ditching and excavating in the area extending inland of the thirty five (35) foot shoreland buffer protection area requires an Iron County Land Use Permit in accordance with Section 13-1-141 and may be permitted only in accord with State law and where protection against erosion, sedimentation and impairment of fish and aquatic life has been assured.

Subsection (1) is new. The old subsection (1) will have the above changes and renamed subsection (2). All the following sub sections will be renumbered appropriately.

Changes to Definitions Article L Sec. 9-1-220(b)

The addition of the following definitions:

Dwelling, Accessory: Any additional dwelling unit on a parcel of land where a principal dwelling unit already exists.

Dwelling, Principal: A dwelling unit on a lot consisting of a room or a group of rooms, which are arranged, designed, used or intended for use as the main living quarters for one family.

Dwelling Unit: Any structure that is wholly or partly used or intended to be used for human habitation, which includes sanitary and/or food preparation facilities.

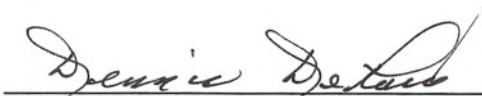
Human Habitation: That which provides living, sleeping, cooking, eating, sanitary or other related facilities required for human needs.

Shoreland Buffer Protection Area: The area extending from the ordinary high water mark to thirty five (35) feet inland.

Respectfully submitted by the Iron County Comprehensive Planning/Land & Zoning Committee for consideration by the Iron County Board of Supervisors this 21st day of April, 2009.

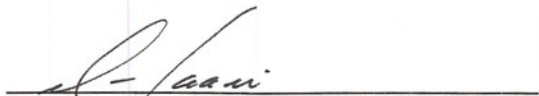
Resolution declared adopted this 28th day of April, 2009.

BY:



Dennis DeRosso, Chairman

ATTEST:



Michael Saari, County Clerk